

REMARKS

Claims 1 to 42 are pending in the application, of which claims 1, 15 and 29 are independent. Favorable reconsideration and further examination are respectfully requested.

In the Office Action, claims 1, 9 to 13, 15, 23 to 27, 29, and 37 to 41 were rejected under 35 U.S.C. §103 over U.S. Patent No. 6,405,188 (Schwartz); claims 2 to 5, 16 to 19, and 30 to 33 were rejected under §103 over Schwartz in view of U.S. Patent No. 6,505,151 (Chou); claims 6, 20 and 34 were rejected under §103 over Schwartz in view of U.S. Patent No. 5,488,725 (Turtle); and claims 7, 8, 21, 22, 35 and 36 were rejected under §103 over Shwartz and Turtle in view of U.S. Patent No. 6,128,613 (Wong). As shown above, Applicant has amended the claims to define the invention even more clearly. In view of these amendments, withdrawal of the art rejections is respectfully requested.

Amended independent claim 1 defines a computer-implemented method which includes establishing a database containing data corresponding to a probability that words occur within a predetermined range of one another in the text. The predetermined range includes from zero additional words to a number of additional words located between the words in the text. The method also includes receiving a phrase comprised of the words, retrieving the data for the words from the database in response to receiving the phrase, and determining, based on the data, whether to perform a text search for the phrase as a whole or for the words individually.

The applied art is not understood to disclose or to suggest the foregoing features of claim 1, particularly with respect to establishing a database containing data corresponding to a probability that words occur within a predetermined range of one another in the text, where the predetermined range includes from zero additional words to a number of additional words located between the words in the text.

Schwartz describes a document searching system which identifies topics for various documents and generates a probability that words are related to a particular document topic (see, e.g., column 5, lines 20 to 35 of Schwartz). Thus, while Schwartz does describe determining a probability that a word relates to a particular topic of a document, Schwartz fails to disclose or to suggest determining a probability that words in the text of such documents occur within a predetermined range of one another.

Chou, which was cited against several dependent claims, describes a phrase detection system that tests n-word combinations to determine if those n-word combinations constitute phrases (see, e.g., columns 7 and 8 of Chou). Chou, however, fails to disclose or to suggest determining a probability that words occur within a predetermined range that may include a number of additional words located between the words in the text. Accordingly, even if Chou were combined with Schwartz, the resulting hypothetical combination would still fail to disclose or to suggest the features of claim 1.

For at least the foregoing reasons, claim 1 is believed to be patentable.

Amended independent claims 15 and 29 are computer program and apparatus claims, respectively, that roughly correspond to claim 1. These claims are also believed to be allowable for at least the same reasons noted above.

Applicant : Douglas Beeferman
Serial No. : 09/840,851
Filed : April 24, 2001
Page : 14

Attorney's Docket No.: 10984-499001
Client's Ref.: 203

The remaining art of record has been reviewed and is not understood to disclose or to suggest anything that would remedy the foregoing deficiencies of Schwartz and Chou against the claims. Accordingly, the entire application is now believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's attorney can be reached at the address shown below. Telephone calls regarding this application should be directed to 617-521-7896.

Please apply any fees associated with this Amendment, which have not already been covered by check, to Deposit Account 06-1050.

Respectfully submitted,

Date: August 22, 2003



Paul A. Pysher
Reg. No. 40,780

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906